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Shih-Zheng Kuo

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BERKELEY LAW & TECHNOLOGY GROUP

1700NW 167TH PLACE

SUITE 240

BEAVERTON, OR 97006

EXAMINER

THOMPSON, JAMES A

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/998,519

Applicant(s)

KUO, SHIH-ZHENG

Examiner

James A. Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, see page 9, lines 1-5, filed 27 July 2006, with respect to the rejections of claims 4 and 8 under 35 USC §112, 2<sup>nd</sup> paragraph have been fully considered and are persuasive. The rejections of claims 4 and 8 under 35 USC §112, 2<sup>nd</sup> paragraph listed in items 3-4 of the previous office action, dated 14 April 2006 and mailed 27 April 2006, have been withdrawn.

2. Applicant's arguments filed 27 July 2006 have been fully considered but they are not persuasive.

**Regarding page 8, lines 2-22:** The present amendments to the claims and the present arguments have been fully considered by Examiner.

**Regarding page 9, line 7 to page 11, line 17:** The teachings relied upon in Scott (US Patent 6,928,195 B2) are not the teachings with respect to the scanning of palms. In Scott, after a palm is scanned, the resultant data is simply digital image data. While Scott conceived of the system disclosed in the Scott patent so as to be used in the scanning of palms, the details relied upon for processing already captured digital image data are applicable to image data in general, not just image data captured from scanning palms.

Boyd (US Patent 6,166,831), as set forth in said previous office action, specifically recites the scanning of documents to form digital image data. The digital image data captured by the palm scanners taught by Scott can also be considered to be documents. Even if, *arguendo*, one were to not consider the

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scanned image data of Scott to be documents, said scanned image data is certainly document data *by combination* with Boyd since Boyd, as the primary reference, teaches the scanning of document image data. In both Boyd and Scott, the data to be processed is digital image data, whether taken directly from a hard copy of a document or from the scanning of a palm.

Finally, Applicant is respectfully reminded that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In said previous office action, Scott teaches particular aspects of processing scanned image data (which is document data at least according to the primary teachings of Boyd), which are used to modify the system taught by Boyd in a manner that would have been obvious to one of ordinary skill in the art at the time of the invention. Furthermore, the motivation that one of ordinary skill in the art at the time of the invention would have had to combine the Boyd and Scott is clearly set forth in said previous office action [see page 5, lines 5-10 of said previous office action].

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4 and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (US Patent 6,166,831) in view of Scott (US Patent 6,928,195 B2) and Ogasawara (US Patent 4,409,625).

Regarding claim 1: Boyd discloses moving the motor (column 2, lines 44-46 of Boyd) a distance substantially equal to a width of one row of the sensors at a speed substantially equal to the width divided by an exposure time (figure 3 and column 3, lines 16-20 of Boyd). Row 30 is read when signal A (figure 3 (54) of Boyd) is high and row 32 is read when signal B (figure 3 (56) of Boyd) is high (column 3, lines 16-20 of Boyd). Moving either the sensor or the paper in a scanner system (column 2, lines 44-46 of Boyd) inherently requires some form of motor. Since sensor reading is performed in equal times for each row (figure 3 of Boyd), then said motor moves at a constant speed. The high signal time of the waveform of either row (figure 3(54, 56) of Boyd) is the exposure time for the associated row. Given the very basic and well-known equation  $\{speed\} = \{distance\} / \{time\}$ , it is therefore demonstrated that the motor moves a distance equal to a width of one row of the sensors at a speed equal to the width

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divided by an exposure time, or  $\{speed\} = W_1/(t_2 - t_1) = W_2/(t_3 - t_2)$  (figure 3(54,56) and column 3, lines 16-20 of Boyd).

Boyd further discloses using  $m$  ( $m=2$ ) rows of the sensors (figure 2(30,32) of Boyd) to scan  $m$  document portions (column 3, lines 1-9 of Boyd) during the exposure time (column 3, lines 16-20 of Boyd). By staggering the image signals of two rows (column 3, lines 7-12 of Boyd), the resolution is doubled (column 3, lines 11-15 of Boyd).

Boyd does not disclose expressly that said  $m$  rows are used *concurrently* to scan; and that each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions.

Scott discloses scanning  $m$  document portions (the individual portions of figure 4(420) of Scott), wherein each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions (figure 4(410); and column 4, lines 44-45 and lines 49-52 of Scott). Each nutating position that is scanned (figure 4(402-408) of Scott) is interlaced with each other to produce a higher-resolution image (column 4, lines 44-52 of Scott). The individual document portions scanned for each nutating position are therefore not adjacent to any other document portions in said nutating position.

Boyd and Scott are combinable because they are from the same field of endeavor, namely increasing the resolution of scanned digital image data by staggering the scanning positions. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use interlacing and multiple nutating positions, as taught by Scott, instead of simply staggering the pixels, as taught by Boyd. The motivation for doing so would have been that the interlacing procedure taught by Scott allows for a greater level of resolution increase by

increasing the number of nutating positions (column 4, lines 40-44 of Scott). Therefore, it would have been obvious to combine Scott with Boyd.

Boyd in view of Scott does not disclose expressly that said *m* rows are used *concurrently* to scan.

Ogasawara discloses scanning a plurality of lines of an original document concurrently (figure 3 and column 2, lines 42-49 of Ogasawara). Each line is scanned by an individual element ( $9_1$ - $9_5$ ) of the sensor (column 2, lines 42-49 of Ogasawara).

Boyd in view of Scott is combinable with Ogasawara because they are from the same field of endeavor, namely digital document scanning and digital processing of the resultant digital image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to scan a plurality of lines concurrently, each with a corresponding individual sensor element, as taught by Ogasawara, each of said individual sensor elements respectively corresponding to each of said *m* rows of sensors taught by Boyd since each element taught by Ogasawara scans an individual line. The motivation for doing so would have been to be able to skip lines that do not contain non-blank image information (column 2, lines 49-52 of Ogasawara), thus providing greater speed of scanning and data acquisition (column 1, lines 62-68 of Ogasawara). Therefore, it would have been obvious to combine Ogasawara with Boyd in view of Scott to obtain the invention as specified in claim 1.

**Regarding claim 4:** Boyd discloses processing and re-sorting a plurality of staggered image signals to obtain a plurality of image data (figure 5(60,62,64) and column 4, lines 7-15 of Boyd).

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**Regarding claim 9:** Boyd discloses means for allowing a scanner to have a scan resolution thereof increased  $m$  times (column 3, lines 11-15 of Boyd), wherein the scanner comprises a motor (column 2, lines 44-46 of Boyd) and a charge coupled device (column 1, lines 11-12 and column 2, lines 42-44 of Boyd), and the charge coupled device has  $m$  rows of sensors spaced a distance from each other (figure 1(18) and column 2, lines 47-52 of Boyd).

Boyd further discloses that the means for allowing a scanner to have a scan resolution increase of  $m$  times includes means for moving the motor (column 2, lines 44-46 of Boyd) a distance substantially equal to a width of one row of the sensors at a speed substantially equal to the width divided by an exposure time (figure 3 and column 3, lines 16-20 of Boyd). Row 30 is read when signal A (figure 3(54) of Boyd) is high and row 32 is read when signal B (figure 3(56) of Boyd) is high (column 3, lines 16-20 of Boyd). Moving either the sensor or the paper in a scanner system (column 2, lines 44-46 of Boyd) inherently requires some form of motor. Since sensor reading is performed in equal times for each row (figure 3 of Boyd), then said motor moves at a constant speed. The high signal time of the waveform of either row (figure 3(54,56) of Boyd) is the exposure time for the associated row. Given the very basic and well-known equation  $\{speed\} = \{distance\} / \{time\}$ , it is therefore demonstrated that the motor moves a distance equal to a width of one row of the sensors at a speed equal to the width divided by an exposure time, or  $\{speed\} = W_1 / (t_2 - t_1) = W_2 / (t_3 - t_2)$  (figure 3(54,56) and column 3, lines 16-20 of Boyd).

Boyd further discloses that the means for allowing a scanner to have a scan resolution increase of  $m$  times further includ-



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es means for using  $m$  ( $m=2$ ) rows of the sensors (figure 2 (30,32) of Boyd) to scan  $m$  document portions (column 3, lines 1-9 of Boyd) during the exposure time (column 3, lines 16-20 of Boyd). By staggering the image signals of two rows (column 3, lines 7-12 of Boyd), the resolution is doubled (column 3, lines 11-15 of Boyd).

Boyd does not disclose expressly that said  $m$  rows are used *concurrently* to scan; and that each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions.

Scott discloses scanning  $m$  document portions (the individual portions of figure 4(420) of Scott), wherein each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions (figure 4(410); and column 4, lines 44-45 and lines 49-52 of Scott). Each nutating position that is scanned (figure 4(402-408) of Scott) is interlaced with each other to produce a higher-resolution image (column 4, lines 44-52 of Scott). The individual document portions scanned for each nutating position are therefore not adjacent to any other document portions in said nutating position.

Boyd and Scott are combinable because they are from the same field of endeavor, namely increasing the resolution of scanned digital image data by staggering the scanning positions. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use interlacing and multiple nutating positions, as taught by Scott, instead of simply staggering the pixels, as taught by Boyd. The motivation for doing so would have been that the interlacing procedure taught by Scott allows for a greater level of resolution increase by increasing the number of nutating positions (column

4, lines 40-44 of Scott). Therefore, it would have been obvious to combine Scott with Boyd.

Boyd in view of Scott does not disclose expressly that said  $m$  rows are used *concurrently* to scan.

Ogasawara discloses scanning a plurality of lines of an original document concurrently (figure 3 and column 2, lines 42-49 of Ogasawara). Each line is scanned by an individual element ( $9_1$ - $9_5$ ) of the sensor (column 2, lines 42-49 of Ogasawara).

Boyd in view of Scott is combinable with Ogasawara because they are from the same field of endeavor, namely digital document scanning and digital processing of the resultant digital image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to scan a plurality of lines concurrently, each with a corresponding individual sensor element, as taught by Ogasawara, each of said individual sensor elements respectively corresponding to each of said  $m$  rows of sensors taught by Boyd since each element taught by Ogasawara scans an individual line. The motivation for doing so would have been to be able to skip lines that do not contain non-blank image information (column 2, lines 49-52 of Ogasawara), thus providing greater speed of scanning and data acquisition (column 1, lines 62-68 of Ogasawara). Therefore, it would have been obvious to combine Ogasawara with Boyd in view of Scott to obtain the invention as specified in claim 9.

**Regarding claims 2 and 10:** Boyd discloses that the distance between rows of sensors is substantially equal to  $(x/m)+n$  times of the width, wherein  $x$  is a positive integer smaller than  $m$ , and  $n$  is an integer equal to or larger than 0 (column 3, lines 9-15 of Boyd). In the system taught by Boyd, the resolution is increased by a factor of two (column 3, lines 11-15 of Boyd)

for two rows (column 3, lines 7-10 of Boyd), and thus  $m$  is equal to 2, the spacing distance is one half (column 3, lines 9-12 of Boyd), and thus  $x$  is equal to one, which is a positive integer smaller than  $m$ . Further, due to the compact staggering of the sensors (figure 2(30,32) of Boyd),  $n$  is an integer equal to 0.

**Regarding claims 11 and 13:** Boyd discloses means for scanning a first portion and a second portion of a document using a first row of sensors for the first document portion and a second row of sensors for the second document portion (figure 2(30,32) and column 3, lines 1-9 of Boyd); means for scanning a third portion and a fourth portion of a document using the first row of sensors for the third document portion and the second row of sensors for the fourth document portion (figure 2(30,32) and column 3, lines 1-9 of Boyd); and means for storing data from the first and second rows of sensors to produce image data (column 4, lines 8-13 of Boyd). Since only two rows are read at once using two rows of sensors (figure 2(30,32) and column 3, lines 1-9 of Boyd), the third and fourth document portions will be read by the first and second rows of sensors, respectively, after said first and second rows of sensors have finished reading the first and second document portions, respectively.

Boyd does not disclose expressly that said scanning of a first portion and a second portion of a document is performed concurrently; that the first and second document portions are not immediately adjacent to each other; that said scanning of a third portion and a fourth portion of a document is performed concurrently; and that the third and fourth document portions are not adjacent to each other.

Scott discloses scanning  $m$  document portions (the individual portions of figure 4(420) of Scott), wherein each of said  $m$

document portions are not adjacent to any other of said m document portions (figure 4(410); and column 4, lines 44-45 and lines 49-52 of Scott). Each nutating position that is scanned (figure 4(402-408) of Scott) is interlaced with each other to produce a higher-resolution image (column 4, lines 44-52 of Scott). The individual document portions scanned for each nutating position are therefore not adjacent to any other document portions in said nutating position.

Boyd and Scott are combinable because they are from the same field of endeavor, namely increasing the resolution of scanned digital image data by staggering the scanning positions. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use interlacing and multiple nutating positions, as taught by Scott, instead of simply staggering the pixels, as taught by Boyd. By interlacing according to the teachings of Scott, the first and second document portions are not immediately adjacent to each other and the third and fourth document portions are not immediately adjacent to each other. The motivation for doing so would have been that the interlacing procedure taught by Scott allows for a greater level of resolution increase by increasing the number of nutating positions (column 4, lines 40-44 of Scott). Therefore, it would have been obvious to combine Scott with Boyd.

Scott in view of Boyd does not disclose expressly that said scanning of a first portion and a second portion of a document is performed concurrently; and that said scanning of a third portion and a fourth portion of a document is performed concurrently.

Ogasawara discloses scanning a plurality of lines of an original document concurrently (figure 3 and column 2, lines 42-49 of Ogasawara).

Boyd in view of Scott is combinable with Ogasawara because they are from the same field of endeavor, namely digital document scanning and digital processing of the resultant digital image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to scan a plurality of lines concurrently, each with a corresponding individual sensor element, as taught by Ogasawara, each of said individual sensor elements respectively corresponding to each of said m rows of sensors taught by Boyd since each element taught by Ogasawara scans an individual line. Thus, said scanning of a first portion and a second portion of a document is performed concurrently; and said scanning of the third portion and the fourth portion of a document is performed concurrently. The motivation for doing so would have been to be able to skip lines that do not contain non-blank image information (column 2, lines 49-52 of Ogasawara), thus providing greater speed of scanning and data acquisition (column 1, lines 62-68 of Ogasawara). Therefore, it would have been obvious to combine Ogasawara with Boyd in view of Scott to obtain the invention as specified in claims 11 and 13.

Further regarding claim 11: The apparatus of claim 13 performs the method of claim 11.

**Regarding claims 12 and 14:** Boyd discloses that the first and second rows of sensors are spaced apart from each other at least a distance of one quarter of the width of each of the rows of sensors (figure 4(30b,32b) and column 2, lines 57-64 of Boyd).

**Regarding claims 15 and 17:** Boyd discloses means for dividing a scanning area in to a plurality of scanning regions (column 2, lines 57-62 of Boyd); means for scanning (column 2, lines 44-52 of Boyd) a first portion of a first of the plurality of scanning regions (figure 4(30b) of Boyd) using a first array of sensors (figure 3(30) of Boyd) during a first time period (column 2, lines 52-59 of Boyd); means for scanning (column 2, lines 44-52 of Boyd) a second portion of said first of the plurality of scanning regions (figure 4(32b) of Boyd) using a second array of sensors (figure 3(32) of Boyd) during a second time period (column 2, lines 52-59 of Boyd); and means for scanning (column 2, lines 44-52 of Boyd) a portion of a second of the plurality of scanning regions using the first array of sensors during a third time period (column 2, lines 52-59 of Boyd). As the paper progresses, the first array of sensors will read another of the plurality of scanning regions after the second array of sensors is finished reading a previous one of the plurality of scanning regions.

Boyd does not disclose expressly that said portion of another of the plurality of scanning regions is scanned by said first array of sensors during the second time period; and that the first and second of the plurality of scanning regions are not adjacent to each other.

Scott discloses scanning a first and a second of a plurality of scanning regions (the individual portions of figure 4(420) of Scott), wherein said first and second of the plurality of scanning regions are not adjacent to each other (figure 4 (410); and column 4, lines 44-45 and lines 49-52 of Scott). Each nuting position that is scanned (figure 4(402-408) of Scott) is interlaced with each other to produce a higher-resolution image

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(column 4, lines 44-52 of Scott). The individual document portions scanned for each nutating position are therefore not adjacent to any other document portions in said nutating position.

Boyd and Scott are combinable because they are from the same field of endeavor, namely increasing the resolution of scanned digital image data by staggering the scanning positions. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use interlacing and multiple nutating positions, as taught by Scott, instead of simply staggering the pixels, as taught by Boyd. By interlacing according to the teachings of Scott, the first and second of the plurality of scanning regions are not immediately adjacent to each other. The motivation for doing so would have been that the interlacing procedure taught by Scott allows for a greater level of resolution increase by increasing the number of nutating positions (column 4, lines 40-44 of Scott). Therefore, it would have been obvious to combine Scott with Boyd.

Boyd in view of Scott does not disclose expressly that said portion of another of the plurality of scanning regions is scanned by said first array of sensors during the second time period.

Ogasawara discloses dividing a scanning area in to a plurality of scanning regions (figure 3(L<sub>1</sub>...L<sub>5</sub>) and column 2, lines 44-49 of Ogasawara); and scanning a plurality of scanning regions of an original document concurrently (figure 3 and column 2, lines 42-49 of Ogasawara). Each line is scanned by an individual element (9<sub>1</sub>-9<sub>5</sub>) of the sensor (column 2, lines 42-49 of Ogasawara).

Boyd in view of Scott is combinable with Ogasawara because they are from the same field of endeavor, namely digital docum-

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ent scanning and digital processing of the resultant digital image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to scan a plurality of scanning regions concurrently, each with a corresponding individual sensor element, as taught by Ogasawara. Thus, the first array of sensors taught by Boyd would read during the second time period, along with the second array of sensors. The motivation for doing so would have been to be able to skip lines that do not contain non-blank image information (column 2, lines 49-52 of Ogasawara), thus providing greater speed of scanning and data acquisition (column 1, lines 62-68 of Ogasawara). Therefore, it would have been obvious to combine Ogasawara with Boyd in view of Scott to obtain the invention as specified in claims 15 and 17.

Further regarding claim 15: The apparatus of claim 17 performs the method of claim 15.

**Regarding claims 16 and 18:** Boyd discloses means for sorting data from the first and second arrays of sensors to assemble image data (figure 5(60,62,64) and column 4, lines 7-15 of Boyd).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (US Patent 6,166,831) in view of Scott (US Patent 6,928,195 B2), Ogasawara (US Patent 4,409,625), and Teeter (US Patent 4,451,030).

**Regarding claim 3:** Boyd in view of Scott and Ogasawara does not disclose expressly that the motor comprises a step motor.



Teeter discloses a scanner with sensing elements which are driven by a step motor (figure 3(84) and column 3, lines 49-51 of Teeter).

Boyd in view of Scott and Ogasawara is combinable with Teeter because they are from similar problem solving areas, namely the mechanical control of sensing elements in a digital scanner. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to specifically use a step motor, as taught by Teeter, in the scanner taught by Boyd in view of Scott and Ogasawara. The suggestion for doing so would have been that a step motor is a useful type of motor to control with stepped electrical driving pulses (column 4, lines 46-51 of Teeter), such as also taught by Boyd (figure 3 of Boyd). Therefore, it would have been obvious to combine Teeter with Boyd in view of Scott and Ogasawara to obtain the invention as specified in claim 3.

6. Claims 5-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (US Patent 6,166,831) in view of Scott (US Patent 6,928,195 B2), Ogasawara (US Patent 4,409,625), and Shimizu (US Patent 5,777,308).

Regarding claim 5: Boyd discloses moving the motor (column 2, lines 44-46 of Boyd) a distance substantially equal to a width of one row of the sensors at a speed equal to the width divided by an exposure time (figure 3 and column 3, lines 16-20 of Boyd). Row 30 is read when signal A (figure 3(54) of Boyd) is high and row 32 is read when signal B (figure 3(56) of Boyd) is high (column 3, lines 16-20 of Boyd). Moving either the sensor or the paper in a scanner system (column 2, lines 44-46 of Boyd) inherently requires some form of motor. Since sensor

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reading is performed in equal times for each row (figure 3 of Boyd), then said motor moves at a constant speed. The high signal time of the waveform of either row (figure 3(54,56) of Boyd) is the exposure time for the associated row. Given the very basic and well-known equation  $\{speed\} = \{distance\} / \{time\}$ , it is therefore demonstrated that the motor moves a distance equal to a width of one row of the sensors at a speed equal to the width divided by an exposure time, or  $\{speed\} = W_1 / (t_2 - t_1) = W_2 / (t_3 - t_2)$  (figure 3(54,56) and column 3, lines 16-20 of Boyd).

Boyd further discloses using, for a resolution increase of  $(m+1)$  (column 3, lines 11-15 of Boyd ( $m=1$ )),  $(m+1)$  rows of the sensors (figure 2(30,32) of Boyd) to scan  $m$  document portions (column 3, lines 1-9 of Boyd) during the exposure time (column 3, lines 16-20 of Boyd). By staggering the image signals of two rows (column 3, lines 7-12 of Boyd), the resolution is doubled (column 3, lines 11-15 of Boyd).

Boyd does not disclose expressly moving the motor a distance substantially equal to  $m/(m+1)$  times the width of one row of the sensors in a speed equal to  $m/(m+1)$  times the width divided by an exposure time; using  $m$  rows of sensors (for a resolution enhancement of  $(m+1)$ ) to *concurrently* scan during the exposure time; and that each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions.

Scott discloses scanning  $m$  document portions (the individual portions of figure 4(420) of Scott), wherein each of said  $m$  document portions are not adjacent to any other of said  $m$  document portions (figure 4(410); and column 4, lines 44-45 and lines 49-52 of Scott). Each nutating position that is scanned (figure 4(402-408) of Scott) is interlaced with each other to produce a

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higher-resolution image (column 4, lines 44-52 of Scott). The individual document portions scanned for each nutating position are therefore not adjacent to any other document portions in said nutating position.

Boyd and Scott are combinable because they are from the same field of endeavor, namely increasing the resolution of scanned digital image data by staggering the scanning positions. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use interlacing and multiple nutating positions, as taught by Scott, instead of simply staggering the pixels, as taught by Boyd. The motivation for doing so would have been that the interlacing procedure taught by Scott allows for a greater level of resolution increase by increasing the number of nutating positions (column 4, lines 40-44 of Scott). Therefore, it would have been obvious to combine Scott with Boyd.

Boyd in view of Scott does not disclose expressly moving the motor a distance substantially equal to  $m/(m+1)$  times the width of one row of the sensors in a speed equal to  $m/(m+1)$  times the width divided by an exposure time; and using  $m$  rows of sensors (for a resolution enhancement of  $(m+1)$ ) to *concurrently* scan during the exposure time.

Ogasawara discloses scanning a plurality of lines of an original document simultaneously (figure 3 and column 2, lines 42-49 of Ogasawara). Each line is scanned by an individual element ( $9_1-9_5$ ) of the sensor (column 2, lines 42-49 of Ogasawara).

Boyd in view of Scott is combinable with Ogasawara because they are from the same field of endeavor, namely digital document scanning and digital processing of the resultant digital

image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to scan a plurality of lines simultaneously, each with a corresponding individual sensor element, as taught by Ogasawara, each of said individual sensor elements respectively corresponding to each of said  $(m+1)$  rows of sensors taught by Boyd since each element taught by Ogasawara scans an individual line. The motivation for doing so would have been to be able to skip lines that do not contain non-blank image information (column 2, lines 49-52 of Ogasawara), thus providing greater speed of scanning and data acquisition (column 1, lines 62-68 of Ogasawara). Therefore, it would have been obvious to combine Ogasawara with Boyd in view of Scott.

Boyd in view of Scott and Ogasawara does not disclose expressly moving the motor a distance substantially equal to  $m/(m+1)$  times the width of one row of the sensors in a speed equal to  $m/(m+1)$  times the width divided by an exposure time; and using  $m$  rows of sensors (for a resolution enhancement of  $(m+1)$ ) to concurrently scan (as taught by Ogasawara during the exposure time.

Shimizu discloses increasing the resolution of a scanner (column 3, lines 9-16 of Shimizu) by sampling at a particular angle (figure 3(42) and column 5, lines 26-28 and lines 39-45 of Shimizu).

Boyd in view of Scott and Ogasawara is combinable with Shimizu because they are from similar problem solving areas, namely the enhancement of scanner resolution. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply various different angles to increase scanner resolution, as taught by Shimizu, than the  $45^\circ$

angle between rows used for staggering in the system taught by Boyd in view of Ogasawara. Thus for a general case of a system taught by Boyd in view of Scott, Ogasawara and Shimizu,  $m$  rows of sensors would be used to scan during the exposure time, thus obtaining a resolution enhancement of  $(m+1)$  for certain specified angles. Further, in a general case of a system taught by Boyd in view of Scott, Ogasawara and Shimizu, the motor would therefore move a distance equal to  $m/(m+1)$  times the width of one row of the sensors. Since, as has been demonstrated above in the system of Boyd in view of Scott and Ogasawara, the motor moves the sensors at a constant rate during the exposure time, the motor would therefore move a distance equal to  $m/(m+1)$  times the width of one row of the sensors in a speed equal to  $m/(m+1)$  times the width divided by an exposure time. The suggestion for doing so would have been that the system taught by Shimizu achieves through angled sampling a resolution smaller than a single pixel (column 3, lines 9-15 of Shimizu), which is also the goal of the system taught by Boyd (column 3, lines 11-15 of Boyd). Therefore, it would have been obvious to combine Shimizu with Boyd in view of Scott and Ogasawara to obtain the invention as specified in claim 5.

**Further regarding claim 6:** For a particularly selected angle for staggering, such as  $45^\circ$  ( $\tan^{-1}(1/1)$ ) or  $33.69^\circ$  ( $\tan^{-1}(2/3)$ ), using the system taught by Boyd in view of Scott, Ogasawara and Shimizu as discussed above in the arguments regarding claim 5, the spacing distance between the rows of sensors will be equal to  $n$  times the width, wherein  $n$  is an integer equal to or larger than 0.

**Regarding claim 8:** Boyd discloses processing and re-sorting a plurality of staggered image signals to obtain a plurality of image data (figure 5(60,62,64) and column 4, lines 7-15 of Boyd).

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (US Patent 6,166,831) in view of Scott (US Patent 6,928,195 B2), Ogasawara (US Patent 4,409,625), Shimizu (US Patent 5,777,308), and Teeter (US Patent 4,451,030).

**Regarding claims 3 and 7:** Boyd in view of Scott, Ogasawara and Shimizu does not disclose expressly that the motor comprises a step motor.

Teeter discloses a scanner with sensing elements which are driven by a step motor (figure 3(84) and column 3, lines 49-51 of Teeter).

Boyd in view of Scott, Ogasawara and Shimizu is combinable with Teeter because they are from similar problem solving areas, namely the mechanical control of sensing elements in a digital scanner. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to specifically use a step motor, as taught by Teeter, in the scanner taught by Boyd in view of Scott, Ogasawara and Shimizu. The suggestion for doing so would have been that a step motor is a useful type of motor to control with stepped electrical driving pulses (column 4, lines 46-51 of Teeter), such as also taught by Boyd (figure 3 of Boyd). Therefore, it would have been obvious to combine Teeter with Boyd in view of Scott, Ogasawara and Shimizu to obtain the invention as specified in claim 7.

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**Conclusion**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

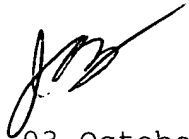
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James A. Thompson  
Examiner  
Technology Division 2625

  
03 October 2006

  
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